State of California
Department of Justice
George Deukmejian
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Attorney General

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SUPREME COURT, U.S.

February 26, 1982

Alexander L. Stevas
Clerk of the Supreme Court
United States Supreme Court
One First Street N.E.
Washington, D.C. 20543

Re: California v. United States,
No. 89, Original

Dear Mr. Stevas:

Plaintiff, State of California, is advised that the United States will seek, by motion, leave of Court to file a supplemental brief in this action. California is also informed that the basis for such motion will be the contention that California's Reply Brief contained new or substantially new matter.

California does not agree with this contention. California's Reply Brief does not contain any matters that have not already been set forth in its Opening Brief, except such matters that were necessarily responsive to arguments made by the United States in its Opening Brief. However, as the United States believes it necessary to more adequately set out its position, California has no objection to the United States' motion.

For its part, California does not believe it necessary to file a supplemental brief in response to the United States' Reply Brief. However, California may wish to file a further brief once it has had the opportunity to consider the United States' final brief, should leave to file a brief be granted.

I would greatly appreciate it if you would circulate this letter to the members of the Court in connection with the conference at which the United States' motion for leave to file supplemental brief is considered. I have included a copy for each member of the Court.

Respectfully submitted,

GEORGE DEUKMEJIAN
Attorney General

Bruce S. Flushman

BRUCE S. FLUSHMAN
Deputy Attorney General

BSF:mdm
cc: Louis F. Claiborne

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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1981

STATE OF CALIFORNIA, EX REL.,
STATE LANDS COMMISSION,
Plaintiff

vs.

No. 89, Original

UNITED STATES OF AMERICA

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served copies of the MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF by first class mail February 25, 1982 to:

BRUCE S. FLUSHMAN, ESQ.
Deputy Attorney General
6000 State Building
San Francisco, California 94102

February 25, 1982

REX E. LEE
SOLICITOR GENERAL

DOJ

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